IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 13250 of 2004

Between:

A. Kishan, S/o. Salakram, Aged 35 yers, Occ:Conductor,
E-253512, RJNR APSRTC Depot, Hyderabad, R/o. 18-8-297/187,
Tanajinagar, Uppuguda, Hyderabad - 500 053. **..... PETITIONER**

AND

A.P.S.R.T.C., represented by its Depot Manager, Rajendranagar Depot, Hyderabad, A.P.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed by the petitioner herein the High Court will be pleased to issue a Writ, order or direction, particularly one in the nature of Writ of Mandamus declaring the action of the respondent in issuing suspension Order No. 02/95(35)/2004-Dated 5-6-2004 without prima facie investigation and after Tayl tickets of Rs. 28/- denomination unserved tickets from my permanent tray box No. 90 in my absence with mala fide intention & bias, after handing over the equipments to the ERC/ADC who checked physically and received the Tray box No. 90 on 20-5-2004, is an inhuman act which is an un propitious effects on the life of an employee and not merely a stigma against an employee alone but it is a stigma against the family as a whole and if amounts to social stigma against the employee and his family members. Not only that this creates some doubt as to general conduct of the employee in society. A moment employee is suspended the society will ask the question to each of the family members why the husband, father or son is suspended the father of the petitioner is struggling in hospital in between life and death due to his heart bypass surgery, the respondent recommended for sanction of medical loan and when the medical loan is sanctioned he issued suspension order which resulted the sanctioned amount is not being released due to suspension order and the father of the petitioner still living in hospital like a fish out of water observing

my helplessness in supporting him and providing treatment, the suspension order is as illegal, unjust, contrary to law and in violation of Articles of natural justice by granting all consequential benefits and suspending the suspension order No. 62/95(35)/ 2004 dated 5-6-2004.

Counsel for the Petitioner: MR.MOHD.GHOUSEUDDIN

Counsel for the Respondent MR.K.HARINATH (SC FOR APSRTC)

The Court made the following:

ORDER:

The petitioner, a conductor in the respondent-Corporation, was kept under suspension pending enquiry against him regarding certain charges. Since the enquiry is pending against the petitioner, it is not desirable to interfere with the said matter at this stage and the suspension of the petitioner cannot be revoked. The suspension of the petitioner shall not operate as a bar for the release of the amount sanctioned to him by the respondent-Corporation towards medical aid of his father.

The writ petition is accordingly dismissed without prejudice to the rights of the petitioner to be worked out separately. No order as to costs.

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30-07-2004

ghn

To

1. Depot Manager, A.P.S.R.T.C. Rajendranagar Depot, Hyderabad, A.P.

2. Two CD copies.